

# Notice of Allowability

Application No.

10/716,235

Examiner

Thomas M. Sember

Applicant(s)

ROBBINS, EDWARD S.

Art Unit

2875

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 09/01/05.
2. ☒ The allowed claim(s) is/are 1-10, 12-14 and 19-28.
3. ☒ The drawings filed on 10 May 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

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|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

Thomas M Sember  
Primary Examiner  
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### **Reason for Allowance**

The following is an examiner's statement of reasons for allowance: None of the prior art of record alone or in combination teaches or fairly suggest applicant's claimed invention.

Particularly, independent claim 1 claims among other things a "a plurality of discs fixed adjacent an upper end of the plurality of transparent strips, the margin highlighter including a luminescent or fluorescent agent in sufficient concentration to provide a visible light emission in the event of lighting failure" which is not taught or suggested by the prior art of record.

Independent claim 6, claims among other things "wherein the margin highlighter comprises a plurality of vertically elongated bars fixed adjacent an upper end of the plurality of transparent strips extending a downward from the curtain-holding apparatus by less than about 30 cm to highlight the passage upper margin" which is not taught or suggested by the prior art of record.

Independent claim 8, claims among other things "the margin highlighter comprises a plurality of elements containing the luminescent or fluorescent agent, the elements being secured to one of the laterally outermost strips of the curtain system, the plurality of elements being positioned relative to each other so as to maintain sufficient visibility through the strip to observe any occurrence of movement" which is not taught or suggested by the prior art of record.

Independent claim 12, claims among other things "emission in the event of lighting failure, and a curtain strip suspended from the curtain-holding apparatus, the curtain strip including a plurality of elements containing the luminescent or fluorescent agent, the elements being secured to one of the laterally outermost strips of the curtain system, the plurality of elements being positioned relative to each other so as to maintain sufficient visibility through the strip to observe any occurrence of movement" which is not taught or suggested by the prior art of record.

Independent claim 19 claims among other things "structure having a back surface to retain the flexible transparent strips in coupled relation to the pegs, and a buffer for preventing direct interaction between the flexible transparent strips and a back surface of a retaining structure, the buffer including a luminescent or fluorescent agent in sufficient concentration to provide a visible light emission in the event of lighting failure" which is not taught or suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Sember whose telephone number is 571-

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272-2381. The examiner can normally be reached on M-F 8 A.M- 5.30 p.m. first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2381. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas M Sember  
Primary Examiner  
Art Unit 2875

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